### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zupan, Andy

Serial Nº:

Filed:

Entitled: Portable, Multipurpose Air Dispensing

Machine

Docket Nº: 462

Date:

February 7, 2001

#### **DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I/We hereby declare that:

My/Our residence, post office address(es) and citizenship(s) are as stated below next to my/our name(s).

I/We believe I am the original, first and sole inventor of the subject matter which is claimed (if only one name is listed below) or an original, first and joint inventor of the subject matter which is claimed (if plural names are listed below) and for which a patent is sought on the invention entitled **Portable**, **Multipurpose Air Dispensing Machine**, the specification of which is attached hereto.

I/We further state that I/We do not know and do not believe that the above-named invention has ever been known or used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this application, or in public use or on sale in the United States more than one year prior to this application; that the invention has not been patented or made the subject of any inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than six (6) months prior to this application; and that no application for patent or inventor's certificate on the invention has been filed by me or my representatives or assigns in any country foreign to the United States except as identified below.

I/We hereby state that I/We have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment if applicable.

I/We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I/We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### None.

I/We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I/We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

#### U.S. Serial Number 09/264,699, filed on 03/08/99

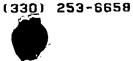
I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I/We hereby appoint the following Patent Attorney, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

John D. Gugliotta, P.E., Esq., Registration No. 36,538

I/We hereby request that all correspondence be directed to: Law Offices of John D. Gugliotta, PE, Esq., 202 Delaware Building, 137 South Main Street, Akron, OH 44308 which is also the address of the above-listed attorneys; and that all telephone calls be directed to (330) 253-5678.

John D. Gugliotta, Esq.



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## SOLE OR FIRST INVENTOR:

Full Name of First Inventor: Andy Zupan

Signature of Andy Zupan Residence of Tajares, NM

Citizenship of: UNITED STATES

Post Office Address of Andy Zupan, P.O. Box 1994

Tajares, NM 87059

## SECOND JOINT INVENTOR (IF ANY):

Full Name of Joint Inventor:

Signature of Residence of Joint Inventor: Tajares, NM

Citizenship of Joint Inventor: UNITED STATES

Post Office Address of Joint Inventor:

P.O. Box 1994

Date

Tajares, NM 87059





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Date:	February 7, 2001	
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(b) - INDEPENDENT INVENTOR		
defined in 37 Title 35, Uni entitled as ab  [X] the sp	tamed inventor, I hereby declare that I qualify as an independent inventor as CFR 1.0(c) for purposes of paying reduced fees under section 41(a) and (b) of ited States Code, to the Patent and Trademark Office with regard to the invention over and described in the cation filed herewith cation serial number, filed, issued	
I/We have no contract or la who could no made the inv	ot assigned, granted, conveyed or licensed and am under no obligation under aw to assign, grant, convey or license any rights in the invention to any person of the classified as an independent inventor under 37 CFR 1.9® if that person had ention, or to any concern which would not qualify as a small business concern R 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).	
licensed or a	concern or organization to which I/We have assigned, granted, conveyed, or m under obligation under contract or law to assign, grant, convey, or license and invention is listed below:	
[ ] perso *NOT	ich person, concern, or organization ons, concerns or organizations listed below* TE: Separate verified statements are required from each named person, concern or ization having rights to the invention averring to their status as small entity. (37 CFR	

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John D. Gugliotta, Esq.





I/We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

### SOLE OR FIRST INVENTOR:

Full Name of First Inventor: Andy Zupan	Fed. 7th 200;
Signature of : Andy Zupan	Date
SECOND JOINT INVENTOR (IF ANY):	
Full Name of Joint Inventor:	
Signature of Joint Inventor	Date